

Attorney Docket No. 5697-39DV

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Worm et al.

U.S. Patent No.: 6,982,007

Serial No.: 10/695,544

Issued: January 3, 2006

Filed: October 28, 2003

For: DIVIDED PRESURE VESSEL APPARTUS FOR CARBON DIOXIDE BASED SYSTEMS
AND METHODS OF USING SAME

Date: June 19, 2006

Commissioner for Patents
Attn: Certificate of Correction Branch
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR ENTRY OF CERTIFICATE OF CORRECTION UNDER
35 U.S.C §254 AND 37 C.F.R. §1.322**

Sir:

The Assignee of record for the above-referenced patent hereby requests, pursuant to 35 U.S.C §254 and 37 C.F.R. §1.322, that a Certificate of Correction be issued. This request is made in order to correct a mistake incurred through the fault of the U.S. Patent and Trademark Office (PTO). No fee is believed due. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

The mistake appearing in the patent is set forth with correction on the Certificate of Correction enclosed herewith. Also enclosed are copies of documents, that were filed with the PTO providing evidence that correction of this error should be made, as follows:

1. Decision Granting Filing Date of October 28, 2003;
2. Resubmittal of Petition to Accord Proper Filing Date;
3. Petition to Accord the Proper Filing Date;
4. Stamped Return Postcard for Petition;
5. Application Transmittal;
6. Express Mail Receipt;
7. USPS Track & Confirm Shipment Details;
8. Postcard filed with the Application; and
9. Filing Receipt.

Certificate
JUN 23 2006
of Correction

Respectfully submitted,

David D. Beatty
Registration No. 38,071

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401
Customer No. 20792

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Commissioner for Patents, Attn: Certificate of Correction Branch, P.O. Box 1450, Alexandria, VA 22313-1450 on June 19, 2006.

Katie Wu

JUN 23 2006

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO. : 6,982,007
DATED : January 3, 2007
INVENTOR(S) : Worm et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

(22) Filed: "Oct. 29, 2003" should be -- Oct. 28, 2003 --.

MAILING ADDRESS OF SENDER:
Myers, Bigel, Sibley & Sajovec
P.O. Box 37428
Raleigh, NC 27627

PATENT NO. 6,982,007
No. of additional copies: _____



This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

JUN 23 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

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JAN 28 2005

OFFICE OF PETITIONS

MYERS BIGEL SIBLEY & SAJOVEC
P.O. BOX 37428
RALEIGH NC 27627

In re Application of :
Steven L. Worm et al :DECISION GRANTING FILING
Application No. 10/695,544 :DATE OF October 28, 2003
Filed: October 28, 2003 :
Attorney Docket No. 5697-39DV :

This is a decision on the petition under 37 CFR 1.10(c), filed February 23, 2004, and supplemented on December 21, 2004, requesting that the above-identified application be accorded a filing date of October 28, 2003, rather than the presently accorded date of October 29, 2003.

Petitioner requests the earlier filing date on the basis that the application was purportedly deposited with the U.S. Postal Service (USPS) as Express Mail on October 28, 2003 pursuant to 37 CFR 1.10. In support, petitioner has submitted a copy of Express Mail Label No. EV318416404US. The same Express Mail receipt number appears on the original "Utility Patent Application Transmittal." Additionally, a copy of the USPS Intranet Track Confirmation verifies the acceptance date as October 28, 2003 in Raleigh NC, for Express Mail Label No. EV318416404US.

In view of the above, it is concluded that the application was deposited as "Express Mail" with the USPS on October 28, 2003.

The petition is granted.

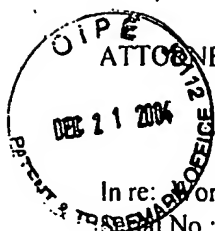
The application file is being referred to the Office of Initial Patent Examination for processing with a filing date of October 28, 2003, and for the mailing of a corrected Filing Receipt.

Telephone inquiries specific to this decision on petition should be directed to the undersigned at (571) 272-3208.

Karen Creasy

Karen Creasy
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

JUN 23 2006



ATTORNEY DOCKET NO. 5697-39DV

PATENT

AGL
COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: *Form et al.*

Confirmation No.: 5474

Serial No.: 10/695,544

Group Art Unit: 1765

Filed: October 28, 2003

For: DIVIDED PRESSURE VESSEL APPARATUS FOR CARBON DIOXIDE BASED
SYSTEMS AND METHODS OF USING SAME

Date: December 17, 2004

Attention: Charlema Grant
Office of Patent Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22212-1450

RESUBMITTAL OF PETITION TO ACCORD PROPER FILING DATE

Dear Ms. Grant:

Enclosed herewith please find a copy of a Petition to Accord Proper Filing Date dated February 20, 2004 (hereinafter "Petition") for the above-identified patent application. As instructed by USPTO representative, Steven Bentley on December 1, 2004, Applicants are resubmitting the Petition because Applicants have not received confirmation that the Patent Office has received the original Petition. Also enclosed herewith is a copy of the return postcard with the USPTO stamp of receipt of the previously submitted Petition on February 20, 2004. The United States Patent and Trademark Office Patent Application Information Retrieval (PAIR) system also does not indicate that the original document has been received.

This petition is due to error on the part of the USPTO, it is applicant's belief that no fee is due with this petition. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to our Deposit Account No. 50-0220.

Applicants respectfully request that the granting of October 28, 2003 as the filing date pursuant to 37 CFR § 1.10.

Respectfully submitted,

David D. Beatty
Registration No. 38,071

USPTO Customer No. 20792
Myers Bigel Sibley & Sajovec, P.A.
Post Office Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401

Certificate of Mailing under 37 CFR § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Office of Patent Legal Administration, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 17, 2004.

Katie A. Chung

JUN 23 2006



Attorney Docket No. 5697-39DV

PATENT **COPY**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Worm *et al.*

Confirmation No.: 5474

Serial No.: 10/695,544

Group Art Unit: 1765

Filed: October 28, 2003

For: DIVIDED PRESSURE VESSEL APPARATUS FOR CARBON DIOXIDE BASED
SYSTEMS AND METHODS OF USING SAME

Date: February 20, 2004

Office of Patent Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO ACCORD THE PROPER FILING DATE

Sir:

As set forth in 37 CFR § 1.10(c) and MPEP § 506.02, Applicants hereby petition to grant the proper filing date of October 28, 2003 rather than October 29, 2003 for the above-identified patent application as this was the date the application was deposited as "Express Mail" in the U.S. Postal Service. The following is enclosed as evidence of October 28, 2003 being the correct filing date for the application, which was properly filed under 37 C.F.R. § 1.10:

1. A true and accurate copy of the Cover Sheet for the Application showing the Express Mail signature and date on Page 2;
2. A true and accurate copy of the Express Mail Receipt along with a copy of the USPS-Track & Confirm from the web page (www.usps.com), showing "acceptance" or deposit date with the USPS at 5:31 p.m. on October 28, 2003; and
3. A true and accurate copy of our return post card and of the official filing receipt for this application, sent by the United States Patent and Trademark Office, showing that Applicants were improperly given the filing date of October 29, 2003 instead of the Express Mail date of October 28, 2003.

This petition is being filed promptly after Applicants became aware of the improperly accorded filing date. Accordingly, Applicants respectfully request the granting of October 28, 2003 as the filing date pursuant to 37 CFR § 1.10.

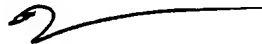
300 53 2000

COPY

In re: Worm *et al.*
Serial No.: 10/695,544
Filed: October 28, 2003
Page 2

On the basis that Applicants properly followed the requirements of 37 CFR § 1.10 and the USPTO failed to accord the proper filing date under MPEP § 505 and thus the need to file this petition is due to error on the part of the USPTO, it is applicants' belief that no fee is due with this petition. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,

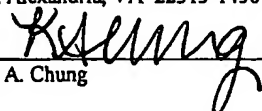


David D. Beatty
Attorney For Applicants
Registration No. 38,071

USPTO Customer No. 39072
Myers Bigel Sibley & Sajovec
Post Office Box 37428
Raleigh, North Carolina 27627
Telephone: 919/854-1400
Facsimile: 919/854-1401

Certificate of Mailing under 37 CFR 1.8

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Katie A. Chung

JUN 23 2006



COPY

DDB:kaa

02-26-04

A09:18 IN

FEB 23 2004



5697-39DV

February 20, 2004

Office of Patent Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir: Kindly acknowledge receipt of the accompanying by placing your receiving date stamp hereon and mailing:

- 1) **Petition to Accord the Proper Filing Date**
- 2) **Utility Patent Application Transmittal Letter and Fee Transmittal form**
- 3) **Express Mail Receipt and USPS- Track & Confirm form**
- 4) **Copy of the Return Postcard**
- 5) **Copy of the Official Filing Receipt**

In re: Worm et al.; Serial No.: 10/695,544; Filed: October 28, 2003; For: DIVIDED
PRESSURE VESSEL APPARATUS FOR CARBON DIOXIDE BASED SYSTEMS
AND METHODS OF USING SAME

Respectfully submitted,
MYERS BIGEL SIBLEY & SAJOVEC



COPY

COPY
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.: 5697-39DV

DATE: October 27, 2003

**UTILITY PATENT APPLICATION TRANSMITTAL LETTER
AND FEE TRANSMITTAL FORM (37 CFR 1.53(b))**

BOX PATENT APPLICATION

Assistant Commissioner for Patents

Washington, DC 20231

Sir:

Transmitted herewith for filing under 37 CFR 1.53(b) is:

- ☐ a patent application
☐ a Continuation ☒ a Divisional ☐ a Continuation-in-Part (CIP) Application of prior application no.: 09/976,551; filed October 12, 2001, the disclosure of which is hereby incorporated herein by reference in its entirety.
☐ and claims the benefit of Provisional Application No. _____; filed _____.

Inventor(s) or Application Identifier:

Steve L. Worm, Raleigh, NC ; James P. DeYoung, Durham, NC; James B. McClain, Raleigh, NC;

David E. Brainard, Knightdale, NC;

Entitled:

DIVIDED PRESSURE VESSEL APPARATUS FOR CARBON DIOXIDE BASED SYSTEMS AND METHODS OF USING SAME

Correspondence Address:

Myers Bigel Sibley & Sajovec, P.A.

P. O. Box 37428

Raleigh, North Carolina 27627

Telephone: (919) 854-1400

Facsimile: (919) 854-1401

Customer No. 20792

Enclosed are:

1. ☒ Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. ☒ 44 pages of Specification (including 28 claims)
3. ☒ 8 sheets of Formal Drawings (35 USC 113)
4. ☒ Oath or Declaration
 - a. ☐ newly executed (*original or copy*)
 - b. ☒ copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*)) [Note Box 6 Below]
 - c. ☐ **DELETION OF INVENTOR(S)** (*Signed statement deleting inventor(s) named in the prior application*)
5. ☐ Application Data Sheet. See 37 CFR 1.76
- 6.. ☒ Incorporation By Reference (*useable if box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under

EV318416404US

COPY

Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

7. ☐ Microfiche Computer Program (*Appendix*)
 8. ☒ Assignment papers (*cover sheet(s) and document(s)*) Filed in parent.
 9. ☐ Applicant claims small entity status. See 37 CFR 1.27.
 10. ☒ Information Disclosure Statement and PTO-1449
 11. ☐ Preliminary Amendment (*Please enter all claim amendments prior to calculating the filing fee.*)
 12. ☐ English Translation Document
 13. ☐ Certified Copy of Application No. ; Filed
 14. ☐ Sequence Listing/ Sequence Listing Diskette
 a. ☐ computer readable copy
 b. ☐ paper copy
 c. ☐ statement in support
 15. ☐ An Associate Power of Attorney
 16. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
 17. ☐ Other:

The fee has been calculated as shown below:

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate Fee	Large Entity Rate Fee
BASIC FEE			\$370.00	\$ 740.00
TOTAL CLAIMS	28- 20 =	8	x 09 = \$	x 18 = \$ 144
INDEP CLAIMS	2 - 3 =	0	x 43 = \$	x 86 = \$0
<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 145 = \$	+ 290 = \$
<i>If the difference in Col. 1 is less than zero, Enter "0" in Col. 2</i>			Total \$	Total \$ 884

- ☒ A check in the amount of \$844.00 to cover the filing fee is enclosed.
☐ A check in the amount of \$ is enclosed to cover the filing fee, PLUS the Assignment Recordation fee (\$40.00).
☐ Please charge my Deposit Account No. 50-0220 in the amount of \$
☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:
 a. ☒ Additional filing fees under 37 CFR 1.16 for presentation of extra claims.
 b. ☒ Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,



David D. Beatty
 Registration No. 38,071

CERTIFICATE OF EXPRESS MAILING

Express Mail Label No. EV38416404 US

Date of Deposit: October 28, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: BOX PATENT APPLICATION, Commissioner for Patents, Washington, DC 20231.


 Lindsey D. Hall



COPY

ORIGIN (POSTAL USE ONLY)		DELIVERY (POSTAL USE ONLY)	
PO ZIP Code 27622	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second <input type="checkbox"/>	Flat Rate Envelope <input type="checkbox"/>	Delivery Attempt Time <input type="checkbox"/> AM <input type="checkbox"/> PM
Date In Mo. Day Year 12 21 2004	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$ 13.65	Delivery Attempt Time <input type="checkbox"/> AM <input type="checkbox"/> PM
Time In <input type="checkbox"/> AM <input type="checkbox"/> PM	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee	Delivery Date Time <input type="checkbox"/> AM <input type="checkbox"/> PM
Weight lbs. ozs.	Int'l Alpha Country Code	COD Fee Insurance Fee	<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only) Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.
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Express Mail Corporate Acct. No.			
FROM: (PLEASE PRINT) MYERS BIGEL SIBLEY & SAJOVEC PO BOX 37428 RALEIGH NC 27627-7428 5697.39DV KDS/ldh		TO: (PLEASE PRINT) MAILSTOP PATENT APPLICATION COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450	
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Track & Confirm

Shipment Details

You entered EV31 8416 404U S

Your item was delivered at 9:43 am on October 29, 2003 in
ALEXANDRIA, VA 22313 to PATENT OFFICE. The item was signed for
by J STECKEL.

Here is what happened earlier:

- ARRIVAL AT UNIT, October 29, 2003, 7:46 am, DULLES, VA 20102
- ENROUTE, October 28, 2003, 6:45 pm, RALEIGH, NC 27623
- ACCEPTANCE, October 28, 2003, 5:31 pm, RALEIGH, NC 27612

Notification Options

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Commissioner for Patents
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Alexandria, VA 22313-1450

RDB/ldn

Date: 10/28/03
Doc. No. 51697 391V
Serial No. _____
Inventor: WOMER A J

11-06-03 A09:11

Sir: Kindly acknowledge receipt of the accompanying items listed below
by placing your receiving stamp hereon and return mailing:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Application Transmittal and: | <input checked="" type="checkbox"/> Check \$ <u>844</u> |
| <input checked="" type="checkbox"/> Specification pages <u>44</u> | <input checked="" type="checkbox"/> IDS & PTO-1449 & <u>16</u> refs. |
| <input checked="" type="checkbox"/> No. of Claims <u>28</u> | <input type="checkbox"/> Amendment & Amend. Transmittal |
| <input checked="" type="checkbox"/> Declaration & POA | <input type="checkbox"/> Preliminary Amendment |
| <input type="checkbox"/> Assignment and Fee | <input type="checkbox"/> Issue Fee |
| <input type="checkbox"/> Small Entity Statement | <input type="checkbox"/> Brief |
| <input checked="" type="checkbox"/> Formal Drawings/ <u>8</u> sheets | <input type="checkbox"/> Appeal |
| <input type="checkbox"/> Associate Power of Attorney | <input type="checkbox"/> Submittal of Priority Doc. |
| <input checked="" type="checkbox"/> Exp. Mail <input type="checkbox"/> 1st Class Mail | |

Other: _____

03917 U.S. PTO
10/695544



102903

Respectfully submitted,
MYERS BIGEL SIBLEY & SAJOVEC, P.A.
Attorneys for Applicant



UNITED STATES PATENT AND TRADEMARK OFFICE

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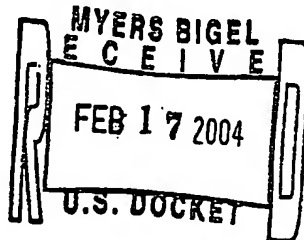
Page 1 of 2

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United States Patent and Trademark Office
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/695,544	10/29/2003	1765	914	5697-39DV	8	28	2

20792
MYERS BIGEL SIBLEY & SAJOVEC
PO BOX 37428
RALEIGH, NC 27627



CONFIRMATION NO. 5474

FILING RECEIPT



OC000000011903649

Date Mailed: 02/13/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Steven L. Worm, Raleigh, NC;
James P. DeYoung, Durham, NC;
James B. McClain, Raleigh, NC;
David E. Brainard, Wake Forest, NC;

Domestic Priority data as claimed by applicant

This application is a DIV of 09/976,551 10/12/2001
which claims benefit of 60/240,473 10/13/2000

Foreign Applications

If Required, Foreign Filing License Granted: 02/13/2004

Projected Publication Date: 05/27/2004

Non-Publication Request: No

Early Publication Request: No

02-15-04 09:53 1H

Title

Divided pressure vessel apparatus for carbon dioxide based systems and methods of using same

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

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